



04-13-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Cirillo, P., et al ) Art Unit: To be assigned  
U.S. Appln. No. : 10/789,354 ) Examiner: To be assigned  
Confirmation No. : To be assigned  
U.S. Filing Date : February 27, 2004  
Title of Invention : Cytokine Inhibitors  
Attny. Docket No. : 9/276

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

April 8, 2004

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).

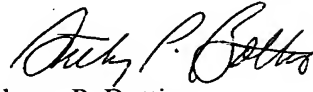
☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,



Anthony P. Bottino  
Attorney for Applicant(s)  
Reg. No. 41,629

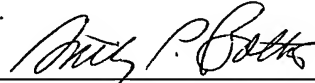
Patent Department  
Boehringer Ingelheim Corp.  
900 Ridgebury Road, P.O. Box 368  
Ridgefield, CT 06877  
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Anthony P. Bottino, Reg. No. 41,629

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 5

**Complete if Known**

Application Number	10/789,354
Filing Date	February 27, 2004
First Named Inventor	Cirillo, P.F. et al
Art Unit	to be assigned
Examiner Name	to be assigned
Attorney Docket Number	9/276

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
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**FOREIGN PATENT DOCUMENTS**

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 01/53274	07/26/2001	Agouron Pharmaceut.		
		WO 01/51456	07/19/2001	Tularik Inc.		
		WO 99/51580	10/14/1999	Abbott Laboratories		
		WO 99/43672	09/02/1999	Genetics Institute, Inc.		
		WO 02/30894	04/18/2002	Taiho Pharmaceutical		

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Considered

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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*(Use as many sheets as necessary)*

Sheet

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Application Number

10/789.354

Filing Date	
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February 27, 2004

First Named Inventor
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Cirillo, P.F. et al

Art Unit

to be assigned	
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<b>Attorney Docket Number</b>
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9/276

## U. S. PATENT DOCUMENTS

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 01/44445	06/21/2001	Incyte Genomics, Inc.		
		WO 02/24635	03/28/2002	Fujisawa Pharm. Co.		
		WO 02/28820	04/11/2002	Merck Patent GmbH		
		WO 00/26197	05/11/2000	Bristol-Myers Squibb		
		WO96/16954	06/06/1996	Agrevo UK		

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 00/44737	08/03/2000	Eli Lilly and Company		
		WO 98/22452	05/28/1998	Kyowa Hakko Kogyo		
		WO 97/29105	08/14/1997	Kumiai Chemical Co.		
		WO 00/75120	12/14/2000	Agouron Pharmac. Co		
		WO 99/01423	01/14/1999	Novo Nordisk Ag.		

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 00/06550	02/10/2000	Nippon Soda Co.		
		JP 2000 256358	09/19/2000	Yamanouchi Pharm.		
		WO 99/45002	09/10/1999	Kyowa Hakko Kogyo		

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<b>Substitute for form 1449B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/789,354
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				Art Unit	to be assigned
				Examiner Name	to be assigned
Sheet	5	of	5	Attorney Docket Number	9/276

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
		Abstract of JP 2000/256358 Pyrazole Derivative- September 19, 2000 - Kubota, K., et al - Yamanouchi Pharmaceutical Co. Ltd.		
		Abstract of WO 00/06550 - Phenylazole Compounds, Process for Producing the Same and Drugs for Hyperlipemia, February 10, 2000, Kunihiro, I., et al ;		
		Abstract of WO 99/45002 - Benzofuran Derivatives, September 10, 1999, Ichiro, M., et al		
		Abstract of WO 98/22452 - Benzofuran Derivatives, May 28, 1998, Etsuo, O., et al		
		Abstract of WO 97/29105 - Benzofuran-7-Yluracil Derivatives and Herbicides, Masahiro, M., et al		

Examiner Signature		Date Considered	
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